

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

THOMAS HUNT

Criminal No. 2:23-cr-43

INFORMATION MEMORANDUM

AND NOW comes the United States of America, by its attorneys, Troy Rivetti, Acting United States Attorney for the Western District of Pennsylvania, and Benjamin J. Risacher, Assistant United States Attorney for said District, and submits this Information Memorandum to the Court:

I. THE INFORMATION

A one-count Information was filed against the above-named defendant for an alleged violation of federal law:

<u>COUNT</u>	<u>OFFENSE/DATE</u>	<u>TITLE/SECTION</u>
1	Attempted Receipt of Material Involving the Sexual Exploitation of Minors From on or about September 13, 2021 until on or about October 13, 2021	18 U.S.C. §§ 2252(a)(2) and 2252(b)(1)

II. ELEMENTS OF THE OFFENSE

A. As to Count One:

In order for the crime of Attempted Receipt of Material Involving the Sexual Exploitation of Minors, in violation of 18 U.S.C. §§ 2252(a)(2) and 2252(b)(1), to be established, the government must prove all of the following essential elements beyond a reasonable doubt:

1. That the defendant knowingly attempted to receive a visual depiction of a minor using any means or facility of interstate or foreign commerce;
2. That the production of the visual depiction involved the use of a minor engaging in sexually explicit conduct; and
3. That the visual depiction was of a minor engaging in sexually explicit conduct;

Title 18, United States Code, Sections 2252(a)(2) and 2252(b)(1).

III. PENALTIES

A. As to Count One: Attempted Receipt of Material Involving the Sexual Exploitation of Minors (18 U.S.C. §§ 2252(a)(2) and 2252(b)(1)):

1. Imprisonment of not less than five (5) years and not more than twenty (20) years, but if the defendant has a prior conviction under Title 18, United States Code, Chapter 110, Chapter 71, Chapter 109A, Chapter 117, Section 1591, or under Section 920 of Title 10, or under the laws of any state relating to aggravated sexual abuse, sexual abuse, or abusive sexual conduct involving a minor or ward, or the production, possession, receipt, mailing, sale, distribution, shipment, or transportation of child pornography, or sex trafficking of children, the defendant shall be fined under this title and imprisoned not less than 15 years nor more than 40 years.

2. A fine of not more than \$250,000.00.
3. A term of supervised release of at least five years and up to life.

IV. MANDATORY SPECIAL ASSESSMENT

A mandatory special assessment of \$100.00 must be imposed at each count upon which the defendant is convicted, pursuant to 18 U.S.C. § 3013.

An additional special assessment of \$5,000.00 must be imposed as the offense was committed after May 29, 2015, and the offense is located within Chapter 110 of Title 18, United States Code. 18 U.S.C. § 3014(a).

Pursuant to 18 U.S.C. § 2259A(a), an additional special assessment of not more than \$35,000.00 shall be assessed, as the offense was committed after December 7, 2018, and the offense is for trafficking in child pornography as defined in 18 U.S.C. § 2259(c)(3).

V. RESTITUTION

Not applicable in this case.

VI. FORFEITURE

As set forth in the Information, forfeiture may be applicable in this case.

Respectfully submitted,

TROY RIVETTI
Acting United States Attorney

/s/ Benjamin J. Risacher
BENJAMIN J. RISACHER
Assistant U.S. Attorney
PA ID No. 318436